

**BOROUGH OF DUMONT  
BERGEN COUNTY, N.J.  
EXECUTIVE SESSION MINUTES  
JUNE 4, 2014  
6:30PM**

Mayor Kelly called the meeting to order at 6:30PM

**Flag Salute, Silent Prayer**

**Sunshine Law:** The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:** Council members Brophy, Hayes, Manna, Riquelme, Zamechansky-present  
Councilwoman Correa-absent  
Mayor Kelly-present

Motion to accept agenda as presented: Councilman Hayes  
Second: Councilman Brophy  
All in favor.

Motion to open to the public: Councilman Brophy  
Second: Councilman Riquelme  
All in favor.

1. MaryAnn Russini, 141 Roosevelt Avenue: No letter has been received by the residents about the water issue after two months. The Mayor met with Mr. Perkins and the Borough engineer Mr. Gibson to go over the money available to do the project. The Borough cannot go on private property to do work. They are formulating the letter now, which will be out within two weeks.

Ms. Russini asked if they can build up the grade on their properties and the process.

2. Debbie Tamburro, 125 Roosevelt Avenue: They have been waiting for the letter from the Mayor for a long time. She can't use her backyard. Nobody is paying attention. The neighborhood is not able to afford \$5,000 each to solve the problem. She feels it is the town's responsibility. Her recyclables were not picked up today.

3. MaryAnn Russini, 141 Roosevelt Avenue, said that many years ago it was the town's suggestion to put a catch basin in the lowest part of one her neighbor's yards. Flood Control Phase III was supposed to be done, which would have helped but that project was put on hold. She was told that her problem would be taken care of and that's why there is the ordinance for Roosevelt flooding.

4. Rachel Bunin, 9 Poplar Street: What is the status of the lawsuit?

Mr. Paster: The next hearing is on the motion to dismiss, which is June 24<sup>th</sup> at 11AM.

Ms. Bunin: What is the status of Ordinance #1473?

Mr. Paster: No change.

Ms. Bunin: Does the Council plan on presenting a revised ordinance June 17<sup>th</sup>?

Mr. Paster: Probably not. If there are changes in the ordinance you would have to start from scratch.

Ms. Bunin asked if there is a plan to rezone property before November, when the COAH rules are finalized?

Mr. Paster: All the options are being considered right now.

Ms. Bunin: The D'Angelo property looks terrible.

Mr. Cavadias, property maintenance: D'Angelo's has hired a landscaper, a company is baiting and they are having the glass removed from the greenhouses and fenced in.

5. Lily Binney, 32 Roxbury Road asked the process of adopting a zoning ordinance. Has there been an official documentation that we are compliant for I and II rounds? Has anyone reached out to COAH to move us ahead of the line since we are in the midst of a Builder's Remedy lawsuit?

Mr. Paster: They know we have the Builder's Remedy. The executive director and the COAH representative for Bergen County both agree with our position that we should not be subject to a Builder's Remedy since we have the petition pending but they will not certify a plan without the third round rules being formally adopted.

Ms. Binney asked how many towns are dealing with Builder's Remedy now?

Mr. Paster: What makes our situation unique is that it is truly undeveloped property, not something to be repurposed.

Ms. Binney: Has anyone contacted COAH to do our own study to determine our actual rehab share number?

Mr. Paster: Maser has the information.

Ms. Binney: Would we have affordable housing obligations if vacant land becomes available in November?

Mr. Paster: Once you have substantive certification you are compliant. That compliance can always be challenged.

Mr. Paster: Mr. Buzak had stated at previous meetings that what happens at D'Angelo's has very little to do with Affordable Housing obligation. How it is rezoned is not contingent in large measure on the Affordable Housing obligation. Even if there is none, something will be build there. The job of this Governing Body and Joint Land Use Board is to minimize the impact on the community from whatever it's going to be and to maximize the Borough's control over what it will be; and to keep the uncertainty of a court or special master who doesn't care what happens here from being the prime decision maker.

Ms. Binney asked about rehab units.

6. Debbie Tamburro, Roosevelt Avenue: If everyone gave \$100 and worked together a teen center and a park could be built on the D'Angelo property.

Motion to close to the public: Councilman Brophy

Second: Councilman Manna

All in favor.

### **Administrator's Report**

Mr. Perkins is absent

### **Borough Engineer's Report**

Mr. Gibson said that the Borough was awarded a grant for Depew Street Phase III. We are looking to start the sanitary sewer infiltration and inflow project. We are holding the

contractors daily to complete the work on Depew Street Phase I and Phase II and the fencing at Memorial Park. The resurfacing of the tennis courts is expected to begin tomorrow.

### **Council Committee Reports**

- Councilman Brophy

#### *Ordinance and Resolution Committee*

Since Councilman Manna has been appointed, the committee is now complete. He is the new chairman. The committee met to go over some issues.

#### *Finance Committee*

The Committee has to meet to go over the capital budget.

- Councilman Hayes

#### *Joint Land Use Board*

The last meeting was short-just seventeen minutes. The Board just memorialized a resolution for West Shore Avenue.

- Councilman Manna

#### *DPW*

The Councilman thanked the DPW for the time and effort they put in to make Memorial Park look presentable for the Memorial Day Parade and dedication.

In April they had 419 miles of swept streets, 18 repaired signs and 18 replaced signs. They started to collect grass pickup at the curb.

#### *OEM*

Councilman Manna met with Captain Conner to look at the OEM manual, which is now being updated.

The Councilman, Mr. Perkins, Chief Faulborn, Mr. Cavadias and an EMT representative went to a CSX meeting. The offer was made to train regionally with the towns in the Valley. This would be tremendous help to our first responders. Councilman Manna is looking into educational programs for the high school since it is right near the tracks and this line is the major link north to south.

- Councilman Riquelme

#### *Board of Health*

The June 2<sup>nd</sup> meeting was cancelled due to lack of quorum

#### *Library*

Their budget was discussed at the last meeting and will be adopted at the next meeting.

#### *Police Department*

In April there were 1900 telephone calls for service, 292 traffic summonses were issued.

- Councilwoman Zamechansky

#### *Fire Department & Ambulance Corps*

There was a rollover yesterday-the Fire Department and Ambulance Corps did a great job.

The Councilwoman suggested an ordinance to ban smoking in the parks and the wording in the previously introduced lightning detection ordinance be revisited.

Councilwoman Zamechansky stated she voted for the budget. However, the Judge has written letters for the past nine years regarding the salaries of the court employees. They have taken many courses. In her opinion, there is not much incentive for people to take courses if they are not compensated for it. She feels that the Court Administrator

and the Deputy Court Administrator and the Building Department construction clerk are grossly underpaid and this warrants further discussion.

Councilman Riquelme agreed.

Finance Chair Brophy stated that this has been discussed multiple times. The Judge wrote a letter saying that because they would be certified as Court Administrators they should get this raise, which amounted to about 9½% for the certified Court Administrator and 19½% for the Deputy Court Administrator. The Court Administrator is certified but the Deputy is not certified yet so there was discussion as to process. He said the town is incurring the cost of the courses they take in order for them to become certified.

Councilman Hayes feels that their salaries are sufficient. It is not necessary to have two certified Court Administrators.

The Mayor will poll the Council to see if this should be brought up as a resolution.

**Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

### **RESOLUTIONS**

**#14-128** Authorization to Sell Borough Surplus Items through GovDeals Inc. Internet Auctioneering Services; State Contract T-2581, Contract #83453 \*

**#14-129** New Century Limo Inc.-Approval of License \*

**#14-130** George Featherstone-Hire as Per Diem Dispatcher-\$12.75 per hour \* In response to Councilman Manna's question about salary ranges for this position, Mr. Paster explained the salary is determined by experience, background and education.

**#14-131** John Arlin-Approval of Full Membership Status in the Dumont Fire Department \*

**#14-132** Diran Jebejian-Accept Resignation as Per Diem Dispatcher \* Councilwoman Zamechansky and Councilman Riquelme pointed out that the Borough did not pay for Mr. Jebejian's training.

Motion to open to the public: Councilman Hayes

Second: Councilwoman Zamechansky

All in favor.

Rachel Bunin, 9 Poplar Street: If the Borough pays for someone's training, is there something in their contract stating they would have to stay for a certain amount of time or reimburse the Borough?

Councilman Brophy responded that the Ordinance Committee is considering this.

Motion to close to the public: Councilman Manna

Second: Councilman Riquelme

All in favor.

Motion to adopt the consent agenda: Councilman Manna

Second: Councilman Brophy

Roll call vote: Council members Brophy, Hayes, Manna, Riquelme, Zamechansky-yes

The Municipal Clerk read the resolution to enter closed session to discuss Police Litigation-Rizza vs. Dumont.  
Motion to enter: Councilman Brophy  
Second: Councilman Riquelme  
Roll call vote: Council members Brophy, Hayes, Manna, Riquelme, Zamechansky-yes

Following closed session:  
Motion to go back into public: Councilman Riquelme  
Second: Councilman Brophy  
All in favor.

Councilman Hayes asked if there was any written documentation as to what was promised regarding the Roosevelt Avenue flooding.

Mr. Paster explained that the EIT Drainage Control project was a six phase plan to address the major issues in town. Phases I and II became so expensive that Phase III was put on hold. The Borough had offered Ms. Russini the opportunity to have a drainage ditch running to the boundary of her property if they would give a drainage easement as was done in the Phase II project but she didn't want to give the easement.

Motion to adjourn: Councilman Brophy  
Second: Councilman Hayes  
All in favor.  
Meeting was adjourned at 8:30PM

Minutes respectfully submitted by:

Susan Connelly, RMC  
Municipal Clerk